



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,155	12/11/2003	Shantilal Hirji Modha	SSK-50 (18583)	5956
22827 7590 02/23/2007 DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER DANIELS, MATTHEW J	
			ART UNIT 1732	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/23/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/733,155

Applicant(s)

MODHA ET AL.

Examiner

Matthew J. Daniels

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 77-115 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 77-115 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification/Information Disclosure Statement*

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim rejections set forth previously under this section are withdrawn in view of the cancellation of those claims.

Rejections over Teoh in view of Chen

3. **Claims 77-84 and 88-97** are rejected under 35 U.S.C. 103(a) as being unpatentable over Teoh (WO 02/32475) in view of Chen (USPN 5284607). **As to Claim 77**, Teoh teaches a method for forming an elastomeric glove, said method comprising:

dipping a hand-shaped former into at least one bath containing an elastomeric material to form a substrate body (Page 3, lines 6-17 and page 6, line 1), said substrate body having an inner surface and an outer surface that define a hand-shaped cavity (inherent by use of glove former), said inner surface being positioned adjacent to said hand-shaped former (inherent that the former is coated);

applying a hydrogel coating to said outer surface of said substrate body while said inner surface of said substrate body remains adjacent to said hand-shaped former (Page 6, lines 8-25), wherein said hydrogel coating has a thickness of 2-10 microns (Page 9, paragraph bridging pages 9 and 10);

applying a lubricant coating to the hydrogel-coated substrate body (page 6, lines 20-25, page 8, paragraph bridging pages 8 and 9), wherein the lubricant coating comprises a silicone (*Id.*);

thereafter, stripping the glove from said hand-shaped former without the use of an antiblocking powder (Paragraph bridging pages 10 and 11), wherein the glove is inverted so that said outer surface of said substrate body applied with said hydrogel coating is configured to face a user's hand when inserted into said hand-shaped cavity (Page 3, lines 24-25, Page 8, lines 14-22).

Teoh appears to be silent to (a) applying the hydrogel coating and then a lubricant coating

while the inner surface of the substrate body (of the elastomeric glove) remains adjacent the hand-shaped former, and (b) that the lubricant is a silicone emulsion. However, these aspects would have been prima facie obvious over Chen who teaches a silicone emulsion (Fig. 2) applied prior to stripping (Fig. 2) while the inner surface remains adjacent the former. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Chen into that of Teoh because maintaining the form on the former would provide an easy and uniform method for coating a lubricant onto the glove, and would also provide improved donnability (4:6-8). **As to Claim 78**, Teoh does not specifically teach that the substrate body includes an emulsion-based elastomeric material. However, latexes are implicitly emulsion-based materials. In the alternative that latex can be applied in a method that does not require an emulsion, it is asserted that applying latex as an emulsion is conventional in the art of glove-making. **As to Claims 79-80**, Teoh teaches natural rubber latex (Page 5, lines 26-27). **As to Claim 81**, Teoh teaches heat bonding (page 6, lines 16-24) and curing (page 8, line 21-24). Although silent to crosslinking or the polymer forming a substantially water-insoluble hydrogel network, these aspects are inherent or obvious over the teaching of curing and that the glove is washed in water after application of the hydrogel (paragraph bridging pages 8 and 9), but the hydrogel is not removed. **As to Claim 82-84**, Teoh discloses the same monomers as claimed in the instant application (page 8, lines 16-21, see hydroxyethyl methacrylate), and therefore the monomer having the characteristics of being water-soluble and hydrophilic would have been inherent or obvious. **As to Claims 88-90**, Teoh teaches a silicone lubricant (page 10, paragraph bridging pages 10 and 11) of 0.1 to 10 wt.% silicone (Page 9, lines 5-14) and a surfactant (Page 6, beginning at line 8). However, Teoh appears to be silent to a silicone

Art Unit: 1732

emulsion. However, this aspect would have been prima facie obvious over Chen who teaches a silicone emulsion (Fig. 2) applied prior to stripping (Fig. 2). **As to Claims 92 and 93**, Teoh teaches that it is conventional to chlorinate gloves (Page 5, lines 6-16), and performing these process steps disclosed by Teoh in a different order (namely the order of removing and chlorinating), without more, would not distinguish the process from that of Teoh. **As to Claims 94 and 95**, because Teoh provides a silicone lubricant of substantially the same solids content as claimed above (Claims 88-90), the silicone lubricant of Teoh would result in a coating of the same or substantially the claimed thickness. **As to Claim 96**, Teoh teaches dipping the former to apply a hydrogel-forming polymer (page 6). **As to Claim 97**, Teoh suggests a silicone lubricant (pages 8-9) and Chen teaches that a silicone lubricant may be applied by dipping into a silicone emulsion (Fig. 2).

4. **Claims 85-87** are rejected under 35 U.S.C. 103(a) as being unpatentable over Teoh (WO 02/32475), Chen (USPN 5284607), and further in view of Holguin (US Patent Application Publication 2003/0100694). Teoh and Chen teach the subject matter of Claim 77 above under 35 USC 103(a). **As to Claims 85 and 86**, Teoh appears to be silent to an active agent that is a drug, skin-conditioner, or a botanical agent capable of imparting a benefit to the user. However, Holguin teaches at least a drug (Par. [0102]). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Holguin into that of Teoh in order to provide a dual function as a carrier of a pharmacologically active agent and protective skin barrier. **As to Claim 87**, the Examiner asserts that hydrogels are inherently swelled by water, and thus it appears to be an inherent or obvious aspect of Holguin's method

Art Unit: 1732

that release of active agents upon contact with an aqueous environment would have occurred.

Additionally, the Examiner submits that many of the drugs listed or described in Holguin's Paragraph [0116] would have inherently been releasable when in contact with the skin, an aqueous environment.

5. **Claims 98-102 and 106-115** are rejected under 35 U.S.C. 103(a) as being unpatentable over Teoh (WO 02/32475) in view of Chen (USPN 5284607). **As to Claim 98**, Teoh teaches a method for forming an elastomeric article, said method comprising:

dipping a former (Page 3, lines 6-17) into at least one bath containing an elastomeric material to form a substrate body, wherein said elastomeric material of said substrate body comprises natural rubber latex (Page 5, lines 26-27), the substrate body having an inner surface and an outer surface that define a cavity (inherent in that a glove is formed), the inner surface being positioned adjacent to said former (Page 6, lines 8-25);

applying a hydrogel coating to the outer surface of the substrate body while the inner surface of the substrate body remains adjacent to said former (Page 6), wherein the hydrogel coating has a thickness of 2-10 microns (Page 9, paragraph bridging pages 9 and 10);

applying a lubricant coating to the hydrogel-coated substrate body (page 6, lines 20-25, page 8, paragraph bridging pages 8 and 9), wherein the lubricant coating comprises a silicone (*Id.*);

thereafter, stripping the glove from said hand-shaped former without the use of an antiblocking powder (Paragraph bridging pages 10 and 11), wherein the glove is inverted so that said outer surface of said substrate body applied with said hydrogel coating is configured to face

a user's hand when inserted into said hand-shaped cavity (Page 3, lines 24-25, Page 8, lines 14-22).

Teoh appears to be silent to (a) applying the hydrogel coating and then a lubricant coating while the inner surface of the substrate body (of the elastomeric glove) remains adjacent the hand-shaped former, and (b) that the lubricant is a silicone emulsion. However, these aspects would have been prima facie obvious over Chen who teaches a silicone emulsion (Fig. 2) applied prior to stripping (Fig. 2) while the inner surface remains adjacent the former. It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Chen into that of Teoh because maintaining the form on the former would provide an easy and uniform method for coating a lubricant onto the glove, and would also provide improved donnability (4:6-8).

**As to Claim 99**, Teoh teaches heat bonding (page 6, lines 16-24) and curing (page 8, line 21-24). Although silent to crosslinking or the polymer forming a substantially water-insoluble hydrogel network, this aspect is inherent in Teoh's process, and support is found in the teaching of curing and that the glove is washed in water after application of the hydrogel (paragraph bridging pages 8 and 9). **As to Claims 100-102**, Teoh discloses the same monomers as claimed in the instant application (page 8, lines 16-21, see hydroxyethyl methacrylate), and therefore the monomer having the characteristics of being water-soluble and hydrophilic would have been inherent. **As to Claims 106-109**, Teoh teaches a silicone lubricant (page 10, paragraph bridging pages 10 and 11) of 0.1 to 10 wt.% silicone (Page 9, lines 5-14) and a surfactant (Page 6, beginning at line 8). However, Teoh appears to be silent to a silicone emulsion. However, this aspect would have been prima facie obvious over Chen who teaches a silicone emulsion (Fig. 2)



Art Unit: 1732

applied prior to stripping (Fig. 2). **As to Claims 110 and 111**, Teoh teaches that it is conventional to chlorinate gloves (Page 5, lines 6-16), and performing these process steps disclosed by Teoh in a different order (namely the order of removing and chlorinating), without more, would not distinguish the process from that of Teoh. **As to Claims 112 and 113**, because Teoh provides a silicone lubricant of substantially the same solids content as claimed above (Claims 88-90), the silicone lubricant of Teoh would result in a coating of the same or substantially the claimed thickness. **As to Claim 114**, Teoh teaches dipping the former to apply a hydrogel-forming polymer (page 6). **As to Claim 115**, Teoh suggests a silicone lubricant (pages 8-9) and Chen teaches that a silicone lubricant may be applied by dipping into a silicone emulsion (Fig. 2).

6. **Claims 103-105** are rejected under 35 U.S.C. 103(a) as being unpatentable over Teoh (WO 02/32475), Chen (USPN 5284607), and further in view of Holguin (US Patent Application Publication 2003/0100694). Teoh and Chen teach the subject matter of Claim 98 above under 35 USC 103(a). **As to Claims 103 and 104**, Teoh appears to be silent to an active agent that is a drug, skin-conditioner, or a botanical agent capable of imparting a benefit to the user. However, Holguin teaches at least a drug (Par. [0102]). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Holguin into that of Teoh in order to provide a dual function as a carrier of a pharmacologically active agent and protective skin barrier. **As to Claim 105**, the Examiner asserts that hydrogels are inherently swelled by water, and thus it appears to be an inherent or obvious aspect of Holguin's method that release of active agents upon contact with an aqueous environment would have occurred.

Additionally, the Examiner submits that many of the drugs listed or described in Holguin's Paragraph [0116] would have inherently been releasable when in contact with the skin, an aqueous environment.

Rejections over Shlenker in view of Teoh and Chen

7. **Claims 77 and 92** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shlenker (USPN 5965276) in view of Teoh (WO 02/32475) and Chen (USPN 5284607). **As to Claim 77**, Shlenker teaches a method for forming an elastomeric glove comprising dipping a former into a bath containing an elastomeric material to form a substrate body (7:60-65) and applying a hydrogel and a lubricant (8:7-8).

Shlenker appears to be silent to the other claimed limitations, namely the "inner" surface being positioned adjacent to the hand-shaped former, the order of steps, application of two separate coatings, and stripping to invert the glove.

However, these aspects would have been prima facie obvious for the following reasons:

(a) Teoh teaches a method for forming an elastomeric glove, said method comprising: dipping a hand-shaped former into at least one bath containing an elastomeric material to form a substrate body (Page 3, lines 6-17 and page 6, line 1), said substrate body having an inner surface and an outer surface that define a hand-shaped cavity (inherent by use of glove former), said inner surface being positioned adjacent to said hand-shaped former (inherent that the former is coated); applying a hydrogel coating to said outer surface of said substrate body while said inner surface of said substrate body remains adjacent to said hand-shaped former (Page 6, lines 8-25), wherein

Art Unit: 1732

said hydrogel coating has a thickness of 2-10 microns (Page 9, paragraph bridging pages 9 and 10); applying a lubricant coating to the hydrogel-coated substrate body (page 6, lines 20-25, page 8, paragraph bridging pages 8 and 9), wherein the lubricant coating comprises a silicone (*Id.*); thereafter, stripping the glove from said hand-shaped former without the use of an antiblocking powder (Paragraph bridging pages 10 and 11), wherein the glove is inverted so that said outer surface of said substrate body applied with said hydrogel coating is configured to face a user's hand when inserted into said hand-shaped cavity (Page 3, lines 24-25, Page 8, lines 14-22).

(b) Chen teaches applying a silicone emulsion (Fig. 2) applied prior to stripping (Fig. 2) while the inner surface remains adjacent the former.

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the methods of Teoh and Chen into that of Shlenker because doing so would a) prevent the development of tackiness over a long period of time and prevent internal slip (Teoh, page 3), and b) maintain the form on the former would provide an easy and uniform method for coating a lubricant onto the glove, and would also provide improved donnability (Chen, 4:6-8). **As to Claim 92**, Shlenker clearly teaches chlorination (8:13).

8. **Claim 93** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shlenker (USPN 5965276) in view of Teoh (WO 02/32475), Chen (USPN 5284607), and further in view of Chen (USPN 5742943). Shlenker, Teoh, and Chen teach the subject matter of Claim 92 above under 35 USC 103(a). **As to Claim 93**, Shlenker appears to be silent to the claimed order of steps.

Art Unit: 1732

However, Chen ('943) clearly teaches the claimed order of steps (8:29-45). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Chen ('943) into that of Shlenker because Shlenker clearly suggests chlorination (8:13), and because doing so while still on the former would provide a easy and uniform method for immersing the glove into the chlorinating bath.

9. **Claims 98 and 110** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shlenker (USPN 5965276) in view of Teoh (WO 02/32475) and Chen (USPN 5284607). As to **Claim 98**, Shlenker teaches a method for forming an elastomeric glove comprising dipping a former into a bath containing latex rubber material (7:1) to form a substrate body (7:60-65) and applying a hydrogel and a lubricant (8:7-8).

Shlenker appears to be silent to the other claimed limitations, namely the "inner" surface being positioned adjacent to the hand-shaped former, the order of steps, application of two separate coatings, and stripping to invert the glove.

However, these aspects would have been prima facie obvious for the following reasons:

(a) Teoh teaches a method for forming an elastomeric article, said method comprising: dipping a former (Page 3, lines 6-17) into at least one bath containing an elastomeric material to form a substrate body, wherein said elastomeric material of said substrate body comprises natural rubber latex (Page 5, lines 26-27), the substrate body having an inner surface and an outer surface that define a cavity (inherent in that a glove is formed), the inner surface being positioned adjacent to said former (Page 6, lines 8-25); applying a hydrogel coating to the outer surface of the substrate body while the inner surface of the substrate body remains adjacent to said former (Page 6),

Art Unit: 1732

wherein the hydrogel coating has a thickness of 2-10 microns (Page 9, paragraph bridging pages 9 and 10); applying a lubricant coating to the hydrogel-coated substrate body (page 6, lines 20-25, page 8, paragraph bridging pages 8 and 9), wherein the lubricant coating comprises a silicone (*Id.*); thereafter, stripping the glove from said hand-shaped former without the use of an antiblocking powder (Paragraph bridging pages 10 and 11), wherein the glove is inverted so that said outer surface of said substrate body applied with said hydrogel coating is configured to face a user's hand when inserted into said hand-shaped cavity (Page 3, lines 24-25, Page 8, lines 14-22).

(b) Chen teaches applying a silicone emulsion (Fig. 2) applied prior to stripping (Fig. 2) while the inner surface remains adjacent the former.

It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the methods of Teoh and Chen into that of Shlenker because doing so would a) prevent the development of tackiness over a long period of time and prevent internal slip (Teoh, page 3), and b) maintain the form on the former would provide an easy and uniform method for coating a lubricant onto the glove, and would also provide improved donnability (Chen, 4:6-8). As to **Claim 110**, Shlenker clearly teaches chlorination (8:13).

10. **Claim 111** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shlenker (USPN 5965276) in view of Teoh (WO 02/32475), Chen (USPN 5284607), and further in view of Chen (USPN 5742943). Shlenker, Teoh, and Chen teach the subject matter of Claim 92 above

under 35 USC 103(a). **As to Claim 111**, Shlenker appears to be silent to the claimed order of steps. However, Chen ('943) clearly teaches the claimed order of steps (8:29-45). It would have been prima facie obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Chen ('943) into that of Shlenker because Shlenker clearly suggests chlorination (8:13), and because doing so while still on the former would provide a easy and uniform method for immersing the glove into the chlorinating bath.

#### ***Response to Arguments***

11. Applicant's arguments filed 30 November 2006 have been fully considered but they are not persuasive. The arguments appear to be on the following grounds:

a) Teoh fails to disclose the application of a lubricant coating containing a silicone emulsion to the outer surface while the inner surface of the substrate remains adjacent to the hand shaped former. Chen uses an antiblocking composition. However, Teoh teaches that a conventional mutli-dipping process is complicated, time consuming, and has the serious disadvantage of requiring chlorination which is both expensive and can have deleterious effects on the glove.

Chen requires the disadvantageous, "conventional process" of multiple complicated and time-consuming dipping steps, and even expressly requires chlorination.

b) An essential feature of Teoh is the use of a hydrogel layer, and Chen expressly teaches away from this aspect because they are not capable of achieving adequate donnability. The most recent Office Action categorically dismisses the contradictory differences on the basis that these portions were not relied on in the rejection, but this disregards the "as a whole" requirement.

Art Unit: 1732

- c) “although Chen does include a step in which a silicone emulsion is dip-coated onto a glove layer, Chen itself teaches away from use of this step.” (page 11, beginning at line 8). One would simply have selected Teoh’s “post-stripping” instead of Chen’s “pre-stripping” process.
- d) The method of applying the lubricant onto the hydrogel-coated substrate body is nowhere taught.
- e) The rejection of Schlenker fails for the same reasons as above.

12. These arguments are not persuasive for the following reasons:

- a) Teoh is non-limiting in the methods suggested for application of the silicone. See “for example” in line 3 of the paragraph bridging pages 8 and 9. In view of Teoh’s teaching and suggestion to apply silicone, such as by washing (page 6, lines 20-25), and in view of Chen’s teaching of another method for applying silicone which would improve the process efficiency and provide the desired washing, it is asserted that the claimed process is prima facie obvious over the cited references.

Applicant’s remarks assert that Teoh teaches away from any process that would use a multiple-step dipping process, and that chlorination cannot be within the scope of Teoh’s disclosure. However, with respect to paragraph [003] of Teoh’s disclosure, what Teoh teaches away from is dipping a former coated with latex into a powdered slurry of surfactant, powder, silicone, and water, curing, stripping, *everting* the glove, chlorinating, and *manually everting* the glove. Teoh appears to teach away from multiple steps of turning the glove inside out, or turning the glove inside out manually. Note that Teoh also provides a former, and must inherently also provide at least one step of stripping the glove from the former, as also disclosed in Chen’s

Art Unit: 1732

method. Teoh suggests a step of applying silicone (page 6 and pages 8-9) and Chen provides a conventional method for providing a silicone to the inside of a glove by dipping the glove and former into a silicone emulsion. The Examiner asserts that there is no teaching away from this combination.

With regard to the chlorination, Teoh teaches that "Chlorination is, therefore, only a partial solution to the problem of tack development." (page 2, lines 15-16) Additionally, Teoh provides an example (9, page 17) in which a glove is chlorinated. Claims drawn to chlorination are rejected by a combination of both Teoh and Chen, and alternatively over Schlenker in view of Teoh and Chen in the event that it is ultimately determined that Teoh teaches away from a step of chlorination. However, in view of Teoh's teachings that chlorination is at least a partial solution to the problem of tack development, the rejection is maintained.

b) Teoh does not teach away from the process steps of applying a silicone emulsion while the inner surface of the substrate body (of the elastomeric glove) remains adjacent the hand-shaped former. This is the primary teaching relied upon in Chen's method. Applicant's remarks appear to assert that although these techniques are present in a prior-art process (Chen), they would not be available or obvious to one of ordinary skill in the art using the process of Teoh because Teoh and Chen teach different treatments of reducing tackiness (chlorination versus hydrogels). This argument does not appear to consider the underlying similarities between Teoh and Chen. *As a whole*, both references are directed at dip molding of gloves and subsequent application of silicone to those gloves to reduce tackiness. The differences between these methods are in the additional treatment steps performed after formation of the glove. It is unclear how this



Art Unit: 1732

difference in additional treatment step (chlorination versus application of hydrogel) destroys the combination.

c) Applicant's remarks assert that "although Chen does include a step in which a silicone emulsion is dip-coated onto a glove layer, Chen itself teaches away from use of this step." (page 11, beginning at line 8). Firstly, the reference is prior art for all that it teaches. Secondly, it is unclear how Chen teaches away from the process claimed in the only independent claim of that patent (See Claim 1).

d) Teoh teaches applying a hydrogel onto a glove and subsequent application of a lubricant. Chen teaches application of a lubricant while the glove is on the former. Applicant's remarks appear to be drawn to a difference in the order of process steps, namely stripping the glove and coating it with silicone, however, rearrangements in the order of prior art process steps is generally considered to be obvious. Additionally, in this case, Chen teaches that the particular order of coating with a silicone lubricant and stripping from the former are known.

e) The rejection over Schlenker is maintained.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 1732

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Daniels whose telephone number is (571) 272-2450. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJD 2/19/07

MJD

  
CHRISTINA JOHNSON  
SUPERVISORY PATENT EXAMINER

2/19/07